

MEMORANDUM

December 14, 1972

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 12/19/72

Petition No. Z-2639
Americo Monaco
35 Freeman Avenue
West Roxbury

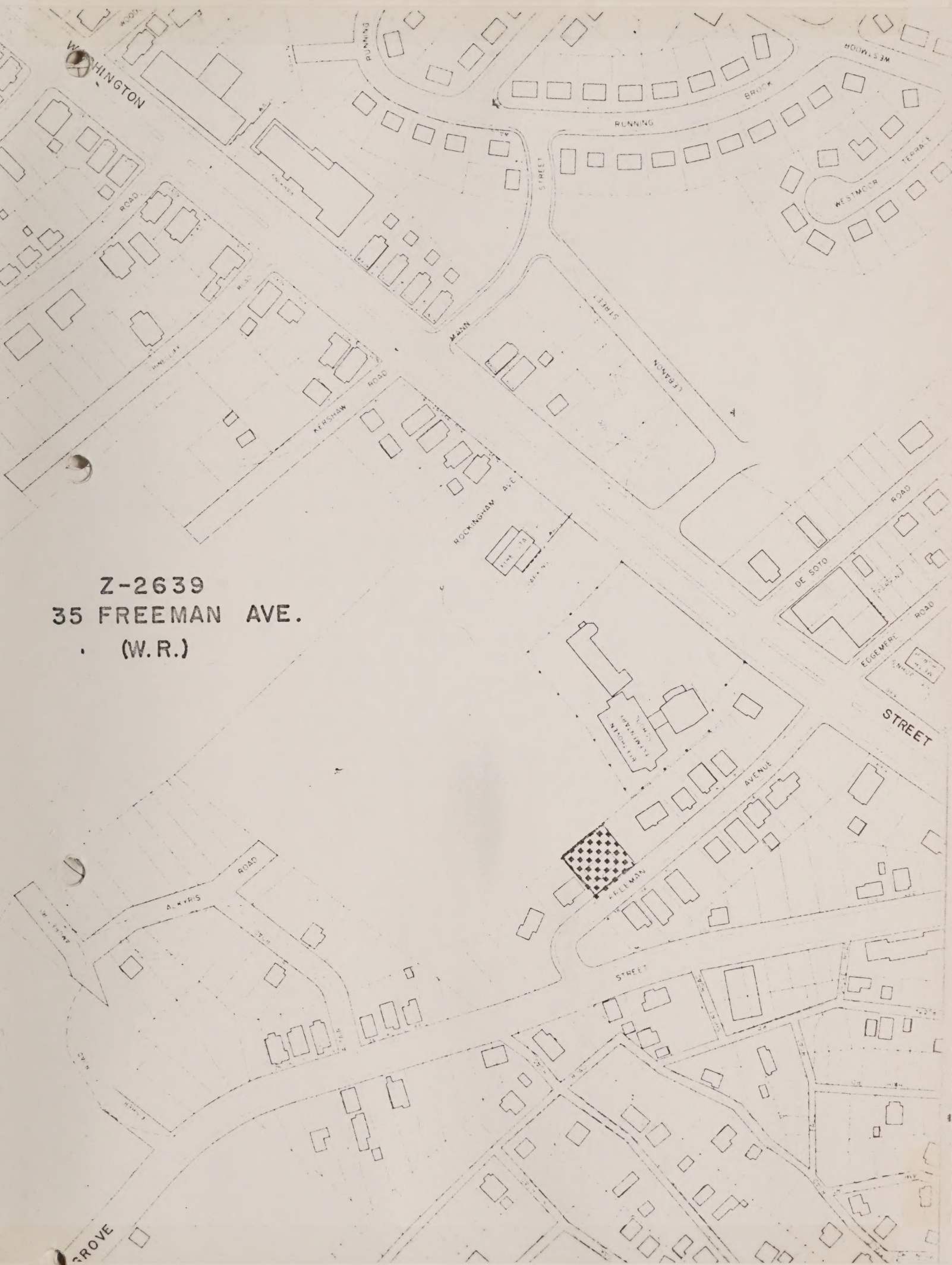
Petitioner seeks a variance to erect a rear porch in a single family (S-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 20-1. Rear yard is insufficient.	40 ft.	29 ft.

The property, located on Freeman Avenue near the intersection of Grove Street, contains a one story frame structure. Proposed open porch would be utilized for recreational and storage purposes. A wooded area exists directly to the rear of the property. The violation would have no adverse effect on surrounding properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2639, brought by Americo Monaco, 35 Freeman Avenue, West Roxbury, for a variance to erect a rear porch in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. A wooded area exists directly to the rear of the property. The violation would have no effect on surrounding properties.

Z-2639
35 FREEMAN AVE.
(W.R.)



Board of Appeal Referrals 12/14/72

Hearing Date: 12/19

Petition No. Z-2640
E & P Inc.
Peter C. Grassa, President
31 Alveston Street
Jamaica Plain

Petitioner seeks a change in a non conforming use for a change of occupancy from rest home for aged to a lodging house in a residential (R-.5) district. The proposal violates the code as follows:

Section 9-2. A change in a non conforming use requires a Board of Appeal hearing.

The property, located on Alveston Street near the intersection of Greenough Avenue, contains a three story frame structure. The proposed lodging house would accommodate 19 persons with no provisions for off street parking. Additional curb parking and the resulting congested traffic along residential streets would have a detrimental effect on this neighborhood. Opposition has been expressed by the community. Recommend denial.

VOTED: That in connection with Petition No. Z-2640, brought by E & P, Inc., 31 Alveston Street, Jamaica Plain, for a change in a non conforming use to change occupancy from a rest home for aged to a lodging house in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The proposed lodging house would accommodate 19 persons with no provisions for off street parking. Additional curb parking and the resulting congested traffic along residential streets would have a detrimental effect on this neighborhood. Opposition has been expressed by the community.



Z-2640
31 ALVESTON ST.
(J.P.)

Board of Appeal Referrals 12/14/72

Hearing Date: 12/19/72

Petition No. Z-2642
Mother Wall AME Zion Church
40 Elm Street, Jamaica Plain

Petitioner seeks a conditional use for a change of occupancy from a church to a church and day care center in a residential (R-.5) district. The proposal violates the code as follows:

Section 8-7. A day care center is conditional in an R-.5 district.

The property, located at the intersection of Elm and Newbern Streets, contains a church. The site is inappropriate to accommodate the proposed 50 children facility. The busy traffic intersection would be a safety hazard to the children. Space for outdoor play activity is inadequate, side yards are narrow, the rear yard is sloped and small. Requirements for a conditional use have not been met. Jamaica Plain Planning and Zoning Committee has recorded opposition.
Recommend denial.

VOTED: That in connection with Petition No. Z-2642, brought by Mother Wall AME Zion Church, 40 Elm Street, Jamaica Plain, for a conditional use to change occupancy from a church to a church and day care center in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The site is inappropriate to accommodate the proposed 50 children facility. The busy traffic intersection would be a safety hazard to the children. Space for outdoor play activity is inadequate, side yards are narrow, the rear yard is sloped and small. Requirements for a conditional use have not been met. Jamaica Plain Planning and Zoning Committee has recorded opposition.



Z-2642
40 ELM ST.
(J.P.)

Board of Appeal Referrals 12/14/72

Hearing Date: 1/9/73

Petition No. Z-2645

Delia Guy
405 Main Street
Charlestown

Petitioner seeks a forbidden use and two variances for a change of occupancy from a one family dwelling to a three family dwelling in an apartment (H-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families not meeting one half the requirements of lot area is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	0
Section 17-1. Open space is insufficient.	400 sf/du	202 sf/du

The property, located on Main Street near the intersection of Auburn Street, contains a three story row masonry structure. The additional units are compatible with the objectives of the Charlestown Urban Renewal Plan. However, the staff recommends that the basement not be utilized for residential occupancy. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2645, brought by Delia Guy, 405 Main Street, Charlestown, in the Charlestown Urban Renewal Area, for a forbidden use and two variances for a change of occupancy from a one family dwelling to a three family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided that the basement is not utilized for residential occupancy. The additional units are compatible with the objectives of the Charlestown Urban Renewal Plan.

Z-2645
405 MAIN ST.
(CHSN.)



Board of Appeal Referrals 12/14/72

Hearing Date: 1/9/73

Petition No. Z-2648
James and Christine Lawless
30 Ridgecrest Drive,
West Roxbury

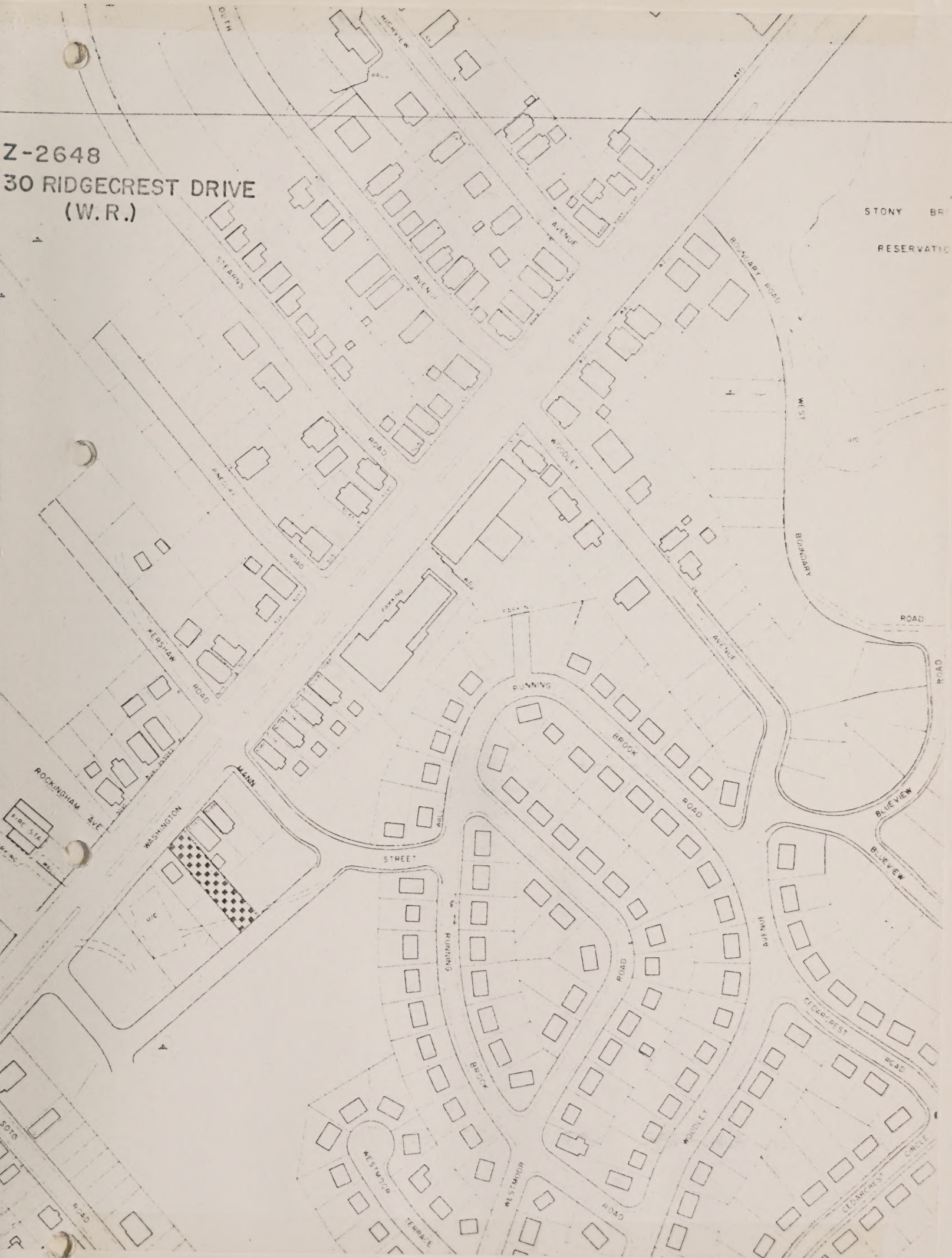
Petitioner seeks two variances to erect a two family dwelling in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 14-3. Lot width is insufficient.	50 ft.	42 ft.
Section 14-4. Street frontage is insufficient.	50 ft.	44 ft.

The property, located between Ridgecrest Drive and Washington Street, contains 8,340 square feet of vacant land. The violations are minimal and will have no significant effect on adjacent properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2648, brought by James and Christine Lawless, 30 Ridgecrest Drive, West Roxbury, for two variances to erect a two family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The violations are minimal and will have no significant effect on adjacent properties.

Z-2648
30 RIDGECREST DRIVE
(W.R.)



Board of Appeal Referrals 12/14/72

Hearing Date: 1/16/73

Petition No. Z-2655
Edwin D. Child
79 Chestnut Street
Boston

Petitioner seeks a change in a non conforming use and three variances to erect a one story addition and for a change of occupancy from a one family dwelling and plumbing - silversmith shop to a one family dwelling and retail store in an apartment (H-2-65) district.

	<u>Req'd</u>	<u>Proposed</u>
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Section 9-2.	A change in a non conforming use requires a Board of Appeal hearing.	
Section 15-1.	Floor area ratio is excessive.	2.0 2.7
Section 17-1.	Open space is insufficient.	150 sf/du 0
Section 20-1.	Rear yard is insufficient.	11 ft. 0

The property, located on Chestnut Street between Brimmer and River Streets, contains a three story masonry structure. A pottery shop, relocated from another site on Chestnut Street, would occupy the retail store. The proposed extension at the rear of the third story would provide additional bedroom space. Existing floor area ratio violation increased only minimally. Open space deficiency is mitigated by a proposed roof garden. Recommend approval.

VOTED: That in connection with Petition No. Z-2655, brought by Edwin D. Child, 79 Chestnut Street, Boston, for a change in a non conforming use and three variances to erect a one story addition and for a change of occupancy from a one family dwelling and plumbing - silversmith shop to a one family dwelling and retail store in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Existing floor area ratio violation would be increased only minimally. Open space deficiency is mitigated by a proposed roof garden.



Z-2655
79 CHESTNUT ST.
(B.P.)

Board of Appeal Referrals 12/14/72

Hearing Date: 1/16/73

Petition No. Z-2656
Matteo & Antonia Sellitto
336 Beech Street, Roslindale

Petitioner seeks a variance to enclose a rear porch of a one family dwelling in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 18-4. Front yard is insufficient.	20 ft.	14 ft.

The property, located on Beech Street at the intersection of Leniston Street, contains a 2½ story frame structure. Porch (10' x 9') would be enclosed but not heated. Violation is technical and existing. Recommend approval.

VOTED: That in connection with Petition No. Z-2656, brought by Matteo & Antonia Sellitto, 336 Beech Street, Roslindale, for a variance to enclose a rear porch in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Violation is technical and existing.



Z-2656
336 BEECH ST.
(ROS.)

Board of Appeal Referrals 12/14/72

Hearing Date: 1/16/73

Petition No. Z-2659
Simmons College
300 Fenway, Boston

Petitioner seeks a variance to subdivide land in an apartment (H-2) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 23-3. Off street parking is insufficient.	100 spaces	0

The property, located on the Fenway at the intersection of Avenue Louis Pasteur in the Fenway Urban Renewal Area, contains a college complex. It is proposed to create a separate lot (1.1 acres) for the newly constructed Science Center Building and the remaining land and buildings (6.2 acres). Petitioner proposes the subdivision for mortgage purposes. The violation is technical as ample parking is provided on the campus. Recommend approval.

VOTED: That in connection with Petition No. Z-2659, brought by Simmons College, 300 Fenway, Boston, in the Fenway Urban Renewal Area, for a variance to subdivide land in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. The violation is technical as ample parking is provided on the campus.

Z-2659
300 FENWAY
(L.R.)

AVENUE

ST.

MARTIN M. VARD
SCHOOL

ST.

FENWAY

ST.

HOLY TRINITY
RUSSIAN ORTHODOX
CATHEDRAL

HEAVEN

ATHLETIC

BACK

IVE LOUIE PASTEUR

Board of Appeal Referrals 12/14/72

Hearing Date:

Petition No. Z-2660

Henry W. Muller

14 Chestnut Street

Boston

Petitioner seeks a conditional use and a variance for a change of occupancy from a two family dwelling to a four family dwelling in an apartment (H-2-65) district. The proposal violates the code as follows:

Req'd

Proposed

Section 8-7. Any dwelling converted for more families which meets one half of the open space requirements is a conditional use in an H-2 district.

Section 17-1. Open space is insufficient.

150 sf/du 132 sf/du

The property, located on Chestnut Street near the intersection of Walnut Street, contains a three story masonry structure.

Any increase in density would only intensify the existing critical traffic problem on Beacon Hill. On street parking is seriously congested. Petitioner has made no provisions for off street parking. The proposal is an unreasonable use of a structure not intended for multiple occupancy. Recommend denial.

VOTED: That in connection with Petition No. Z-2660, brought by Henry W. Muller, 14 Chestnut Street, Boston, for a conditional use and a variance for a change of occupancy from a two family dwelling to a four family dwelling in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends denial. Any increase in density would only intensify the existing critical traffic problem on Beacon Hill. On street parking is seriously congested. Petitioner has made no provisions for off street parking. The proposal is an unreasonable use of a structure not intended for multiple occupancy.

Board of Appeal Referrals 12/14/72

Hearing Date: 12/19/72

Petition No. Z-2661
International Food Service Co., Inc.
Aaron Spencer
30 North Beacon Street, Brighton

Petitioner seeks a conditional use to erect a mansard style roof on an existing restaurant structure in a local business (L-1) district. The proposal violates the code as follows:

Section 8-7. A change in structure of a conditional use requires a Board of Appeal hearing.

The property, located on North Beacon Street near the intersection of Everett Street, contains a one story concrete block structure. Petitioner (Kentucky Fried Chicken) is in the process of relocating from a nearby site which has been acquired for public use. The 'false roof' would be constructed as part of exterior decoration.
Recommend approval.

VOTED: That in connection with Petition No. Z-2661, brought by International Food Service Co, Inc., 30 North Beacon Street, Brighton, for a conditional use to erect a mansard style roof on an existing restaurant structure in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The 'false roof' would be constructed as part of exterior decoration. Adequate off street parking is provided.

Board of Appeal Referrals 12/14/72

Hearing Date: 12/19/72

Petition No. Z-2661
International Food Service Co., Inc.
Aaron Spencer
30 North Beacon Street, Brighton

Petitioner seeks a conditional use to erect a mansard style roof on an existing restaurant structure in a local business (L-1) district. The proposal violates the code as follows:

Section 8-7. A change in structure of a conditional use requires a Board of Appeal hearing.

The property, located on North Beacon Street near the intersection of Everett Street, contains a one story concrete block structure. Petitioner (Kentucky Fried Chicken) is in the process of relocating from a nearby site which has been acquired for public use. The 'false roof' would be constructed as part of exterior decoration.
Recommend approval.

VOTED: That in connection with Petition No. Z-2661, brought by International Food Service Co, Inc., 30 North Beacon Street, Brighton, for a conditional use to erect a mansard style roof on an existing restaurant structure in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The 'false roof' would be constructed as part of exterior decoration. Adequate off street parking is provided.

30 NORTH BEACON ST.
(BRI.)

BEACON

AMBRIDGE

1. HARD STEEL STIFF!

5 4 3 2 1

F. A. N. F.

10

5

ST

Board of Appeal Referrals 12/14/72

Hearing Date: 12/19/72

Petition No. Z-2664
Esther Loitherstein, Trustee
1505 Commonwealth Trust
1505 Commonwealth Avenue
Brighton

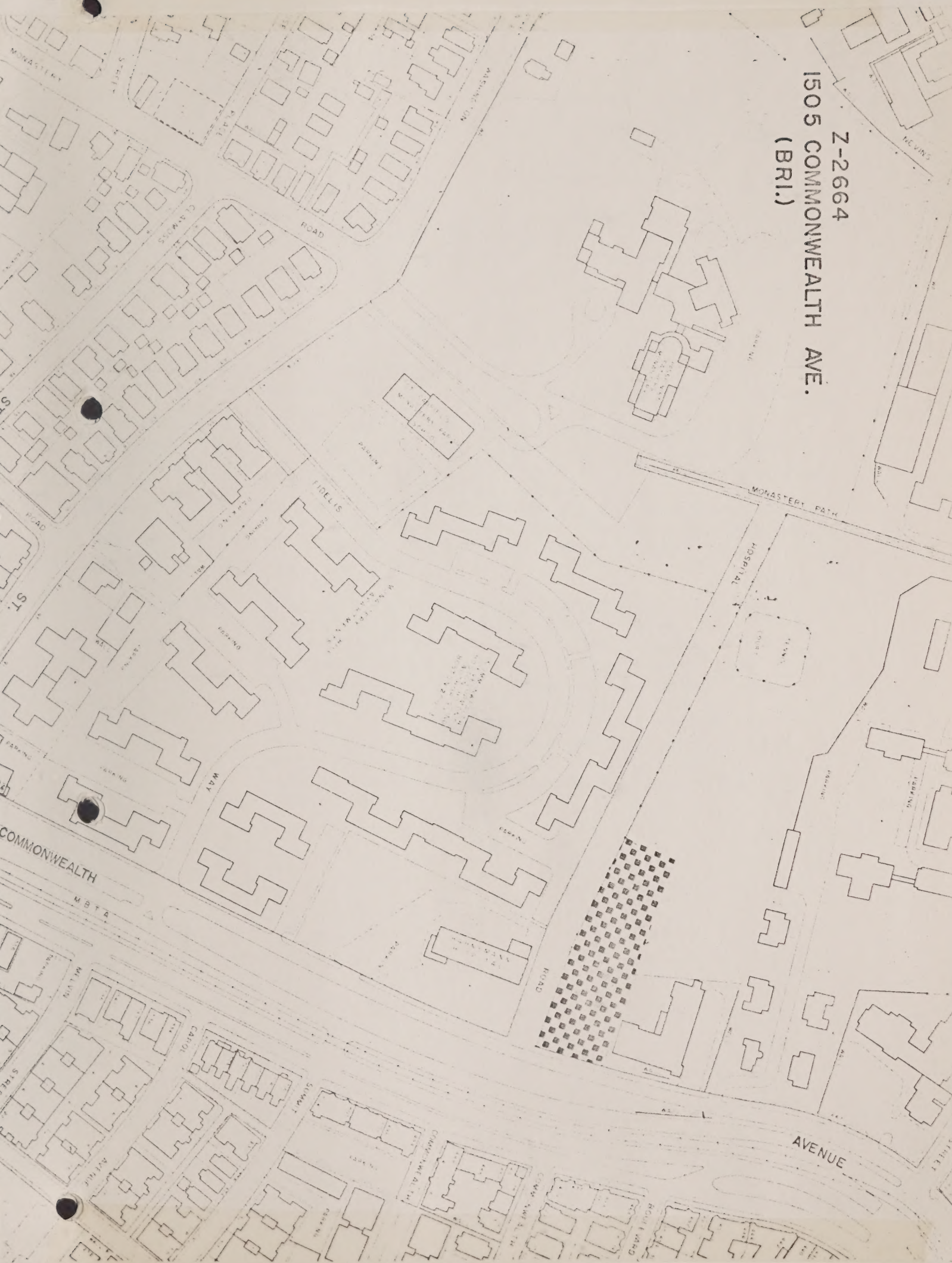
Petitioner seeks an extension of a non-conforming use, a change in a non conforming use and two variances to combine lots and change occupancy from office building and garage to professional offices and garage in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 9-2. An extension of a non-conforming use requires a Board of Appeal hearing.		
Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.		
Section 19-1. Side yard is insufficient. 10 ft.		0
Section 20-1. Rear yard is insufficient. 40 ft.		0

The property, located on Commonwealth Avenue between Fidelis Way and Warren Street, contains a six story masonry structure. The basement garage accommodates 51 parking spaces. The proposal would provide 94 additional spaces on land already asphalt paved and fenced. It is recommended that suitable landscaping be provided to screen the property from a proposed public park (formerly Brighton Public Health Service land). Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2664, brought by Esther Loitherstein, Trustee, 1505 Commonwealth Trust, 1505 Commonwealth Avenue, Brighton, for an extension of a non conforming use, a change in a non conforming use and two variances to combine lots and change occupancy from office building and garage to professional offices in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the condition that suitable landscaping be provided to screen the property from a proposed public park (formerly Brighton Public Health Service land).

Z-2664
1505 COMMONWEALTH AVE.
(BRI.)



Board of Appeal Referrals 12/14/72

Hearing Date: 1/16/73

Petition No. Z-2665
A & S Realty Trust
Allen J. Jarasitis, Trustee
299-303 Main Street
Charlestown

Petitioner seeks two variances for a change of occupancy from six apartments to four apartments and offices in a local business (L-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	1.0	1.07
Section 23-4. Off street parking is insufficient.	9 spaces	6 spaces

The property, located on Main Street between Sullivan and Franklin Streets, contains a three story masonry structure in the process of construction. A permit for this construction was issued in October. The initial occupancy was to be six apartments. Petitioner now proposes to utilize the first floor for offices, one of which he will occupy. The residential office use is consistent with the Charlestown Urban Renewal Plan.
Recommend approval.

VOTED: That in connection with Petition No. Z-2665, brought by A & S Realty Trust, Allen J. Jarasitis, Trustee, 299-303 Main Street in the Charlestown Urban Renewal Area, for two variances for a change of occupancy from six apartments to four apartments and two offices in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The residential - office use is consistent with the Charlestown Urban Renewal Plan.



Z-2665
299-303 MAIN ST.
(CHSN.)

